

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA**

**RECEIVED**

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**STATE OF ALABAMA**

**Plaintiff,**

**v.**

**Civil Action No. 2:06-CV-920**

**ABBOTT LABORATORIES, INC., ET AL.,**

**Defendants.**

**MOTION FOR ADMISSION PRO HAC VICE FOR NEIL M. MERKL**

COMES NOW Gary M. London, counsel for Defendant Dey, L.P., who is an attorney admitted to practice before this Court, and respectfully moves this Honorable Court to permit Neil M. Merkl of the firm of Kelley Drye & Warren LLP of New York, NY, to appear *pro hac vice* as co-counsel in the above-captioned case representing Dey, L.P. In support of this motion, Gary M. London presents the following facts:

1. Neil M. Merkl is a member of the law firm of Kelley Drye & Warren LLP of New York, NY, and is admitted to practice law in the State of New York, which is the state in which he resides. Neil M. Merkl is also admitted to the following federal courts: United States District Court for the Southern District of New York; United States District Court for the Eastern District of New York; United States District Court for the Northern District of New York; US Court of Appeals 2nd Circuit; US Court of Appeals 3rd Circuit; United States District court for the District of Columbia; United States Supreme Court; United States District Court for the Eastern District of Wisconsin; United States District Court for the Western District of Wisconsin; United States Court of Appeals for the Federal Circuit. The Court of the District of Columbia. Attached

to this motion is a Certificate of Good Standing for Neil Merkl from the Clerk of the United States District Court for the Southern District of New York.

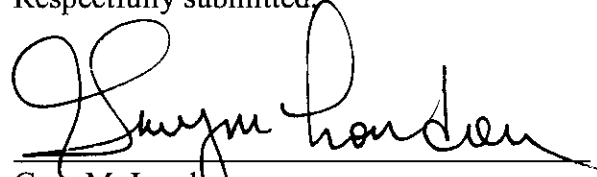
2. Neil M. Merkl is familiar with the Federal Rules of Civil Procedure, Federal Rules of Evidence and the Local Rules of this United States District Court and is fully competent to appear before this Court. Neil M. Merkl agrees that he will abide by the ethical standards governing the practice of law in this Court.

3. Neil M. Merkl agrees that, unless permitted to withdraw sooner by order of the Court, he will continue to represent Dey, L.P. in these proceedings until the final determination thereof, and that with reference to all matters incident to these proceedings, he agrees that he shall be subject to the orders and amenable to the disciplinary action and civil jurisdiction of the United States District Court, Middle District of Alabama, and the Alabama State Bar in all respects as if he were a regularly admitted and licensed member of the Bar of Alabama in good standing.

4. With the filing of this motion, the undersigned is submitting to the Clerk of this Court a check in the amount of \$20.00 in payment of the fee prescribed by Rule 83.1(b) of the Rules of this court.

WHEREFORE, Gary M. London requests an order from this Court specially admitting Neil M. Merkl to serve as co-counsel for the purpose of this litigation.

Respectfully submitted,



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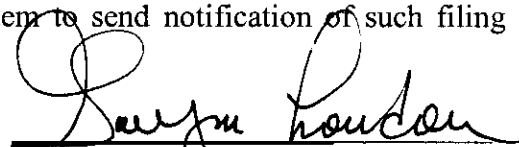
Attorney for Dey, L.P.

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**CERTIFICATE OF SERVICE**

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I hereby certify that on October 26, 2006, I filed by hand delivery the foregoing with the Clerk of Court, which will use the CM/ECF system to send notification of such filing to all parties of record, as shown on the attached list.



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# United States District Court

Southern District of New York

## Certificate of Good Standing

I, J. Michael McMahon, Clerk of this Court, certify that

NEIL MERKL

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NM6704

was duly admitted to practice in this Court on

AUGUST 7<sup>th</sup>, 1984

, and is in good standing

as a member of the Bar of this Court.

Dated at 500 Pearl Street  
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on OCTOBER 25<sup>th</sup>, 2006

**J. MICHAEL McMAHON**

Clerk

by:



Deputy Clerk